

**ARIZONA DEPARTMENT OF HEALTH SERVICES  
DIVISION OF LICENSING SERVICES  
OFFICE OF BEHAVIORAL HEALTH LICENSING  
GUIDANCE DOCUMENT  
#GD-005-DLS-BHL**

**OBHL GUIDANCE FOR FACE TO FACE AFTER RESTRAINT OR SECLUSION**

The purpose of this guidance document is to clarify the state rule requirements for a face-to-face assessment of a client within one hour of the initiation of restraint or seclusion. The federal regulations for restraint or seclusion incorporated by reference in Title 9, Chapter 20 are no longer in effect. Therefore, the Department will permit registered nurses and physician assistants to perform the face-to-face assessment, consistent with current federal regulation.

Title 9, Chapter 20 includes several provisions regulating this assessment:

**R9-20-502(A)(2)(h)** incorporates **42 C.F.R. 482.13(f)(3)(ii)(C)(2002)** by reference.

A physician or other licensed independent practitioner must see and evaluate the need for restraint or seclusion within 1 hour after the initiation of this intervention.

**R9-20-602(D)**

A licensee shall ensure that a face-to-face assessment of a client's physical and psychological well-being is performed within one hour after the initiation of restraint or seclusion by:

1. For a Level 1 psychiatric acute hospital, a physician or nurse practitioner, who is either onsite or on-call at the time that the restraint or seclusion was initiated; or
2. For a Level 1 RTC, a Level 1 sub-acute agency, or a Level 1 specialized transitional agency, a registered nurse with at least one year of full time behavioral health work experience, who is either onsite or on-call at the time that the restraint or seclusion was initiated.

In December 2006, the Centers for Medicaid Services adopted new restraint and seclusion requirements. The current federal regulation regarding face-to-face assessments is as follows:

**42 C.F.R. §482.13(e)(12)**

When restraint or seclusion is used for the management of violent or self-destructive behavior that jeopardizes the immediate physical safety of the patient, a staff member, or others, the patient must be seen face-to-face within 1 hour after the initiation of the intervention—

(i) By a—

(A) Physician or other licensed independent practitioner; or

(B) Registered nurse or physician assistant who has been trained in accordance with the requirements specified in paragraph (f) of this section.

The current federal regulation permits a trained RN or trained physician assistant to perform the face-to-face assessment of a client in restraint or seclusion. Because the regulations incorporated by reference in R9-20-502(A)(2)(h) are no longer in effect, the Department will permit these persons to perform the face-to-face assessment, consistent with current federal regulation.